

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Raquel Velasquez	Team: Squad #11	CCRB Case #: 201507686	<input checked="" type="checkbox"/> Force <input type="checkbox"/> Discourt. <input type="checkbox"/> U.S. <input type="checkbox"/> Abuse <input type="checkbox"/> O.L. <input type="checkbox"/> Injury
Incident Date(s) Sunday, 09/06/2015 11:25 PM	Location of Incident: 47th Precinct stationhouse	18 Mo. SOL 3/6/2017	Precinct: 47
Date/Time CV Reported Mon, 09/07/2015 12:01 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 09/10/2015 2:30 PM

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Joseph Spalding	05171	927545	047 PCT
2. SGT Jose Diaz	3983	936485	047 PCT
3. DT3 Patrick Sullivan	03328	931282	047 DET

Officer(s)	Allegation	Investigator Recommendation
A . SGT Jose Diaz	Force: Sgt. Jose Diaz used physical force against § 87(2)(b)	
B . DT3 Patrick Sullivan	Force: Det. Patrick Sullivan used physical force against § 87(2)(b)	
C . SGT Joseph Spalding	Force: Sgt. Joseph Spalding used a Taser on § 87(2)(b)	

Case Summary

On September 7, 2015, Sgt. Joseph Spalding, from the 47th Precinct, filed this complaint with IAB regarding an injured prisoner, § 87(2)(b). The complaint was referred to the CCRB and was received on September 10, 2015. From September 15 and September 30, 2015, ten calls were placed to two phone numbers, three letters were mailed, and three emails were sent to § 87(2)(b) to contact information confirmed by a Lexis Nexis search and his arrest report. On October 1, 2015, § 87(2)(b) called and left a message stating that he had just been released from the hospital and received the please call letters. § 87(2)(b) provided his cellphone number but stated that it was not in service and would not be in service until October 16, 2015. From October 5 to October 19, 2015, three calls were placed to the phone number § 87(2)(b) provided as his cellphone. During each attempt, an automated message prompted that the number was not accepting incoming calls.

On October 23, 2015, § 87(2)(b) called and left a message with his new phone number. The undersigned returned § 87(2)(b)'s call on the same day. § 87(2)(b) stated that he did not have a complaint regarding this incident and that he did not want to pursue an investigation. § 87(2)(b) decided to withdraw his complaint because he did not have any recollection of the incident. § 87(2)(b) stated that he was withdrawing his complaint of his own free will and was not coerced into doing so by anyone at the NYPD or the CCRB. IM Jennifer Jarett reviewed the withdrawal recording, which is attached to IA #46, and confirmed it adhered to agency standards. On the same day, a withdrawal letter was mailed to § 87(2)(b) with a self-addressed stamped envelope. When the withdrawal letter is returned, it will be included in the case file. § 87(2)(g)

§ 87(2)(g)

Squad: 11

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Attorney: _____
Title/Signature Print Date